

THE HONORABLE RICHARD J. HOLWELL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MUSTAFA FTEJA,

Plaintiff,

v.

FACEBOOK, INC.,

Defendant.

Civil Action No. 1:11-cv-00918-RJH

DECLARATION OF DAVID WILLNER IN
SUPPORT OF FACEBOOK, INC.'S
MOTION TO TRANSFER VENUE,
MOTION TO DISMISS, AND MOTION FOR
A MORE DEFINITE STATEMENT

I, David Willner, declare:

1. I am an employee of Facebook, Inc. ("Facebook") in the Global Policy Management Team. I have personal knowledge of the facts stated herein and if called as a witness could and would competently testify thereto.

2. Facebook's current registration procedure and associated webpages are essentially identical to the procedure and webpages in place when plaintiff Mustafa Fteja registered to use Facebook on or about January 1, 2009 in that a putative Facebook user cannot become an actual Facebook user unless and until they have clicked through the registration page where they acknowledge they have read and agreed to Facebook's terms of use, i.e. the Statement of Rights and Responsibilities.

DECLARATION OF DAVID WILNER
(No. 1:11-cv-00918-RJH) – 1

60406-0023/LEGAL20883776.1

Coughlin Duffy LLP
88 Pine Street, 28th Floor
New York, NY 10005
Telephone: 212.483.0105
Facsimile: 212.483.3899

1 3. At the bottom of every Facebook webpage, hyperlinks permit Facebook users to
2
3 access and review Facebook's Statement of Rights and Responsibilities.
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6 *I declare under penalty of perjury under the laws of the United States that the foregoing*
7 *is true and correct.*
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9 Dated this 17th day of May, 2011 at Palo Alto, California.
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13 By: 
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15 **David Willner**
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